

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Algie R. Neal,

Plaintiff,

Civil No. 04-2985 (RHK/JSM)

vs.

ORDER

Eniva Corporation,

Defendant.

Having reviewed the written submissions of the parties, the Court has concluded that oral argument will not materially assist the Court in ruling on Defendant's Motion for Summary Judgment.

Accordingly, the July 1, 2005, hearing is **CANCELED** and the Motion for Summary Judgment is deemed submitted for decision based upon the written record now before the Court.

Dated: June 24, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge